

AFFIDAVIT OF NONDEVELOPMENT AND NONPAYMENT OF DELAY RENTALS

1300613-001

I, Mary Ellen Wallace Thomas, of 2895 Mendenhall Loop Rd., SPC 74, Juneau, AK 99801, being of lawful age and duly sworn, do hereby depose and state the following:

Affiant hereby states that ~~(he)~~(she) is the owner of an undivided interest in the oil and gas rights under certain lands situate in the District of Cameron, Marshall County, West Virginia, being further described as follows:

Tax Parcel No. map 16 parcel 1

Bounded formerly or currently as follows:

On the North by lands of: John J. Woodstuff; Ronald Greathouse; Ralph Lemmons;
On the East by lands of: Robert C. Fletcher;
On the South by lands of: John David McConaughy
On the West by lands of: William L. Fox

And more specifically described in a deed dated October 30, 1954, from Encil R. Wade and Dorothy Irene Wade, his wife; Enzie B. Wade and Cecile Wade, his wife; Erma (Wade) Caldwell, single; Ira Stephens and Jennie Stephens, his wife; Florence Cole and Leonard Cole, her husband; Theresa (Mozingo) Reese and Fred Reese, her husband; Orpha Ludwig and Archie Ludwig, her husband; Elwood Bowman; Sarah (Bowman) Grimes and Allen L. Grimes, her husband; Harold Bowman, single; Florence Erma Bowman, single; being the owners of the undivided one-half (1/2) interest owned in said tract of land at the time of the death of W.A. Wade; and Massie Ellen Wade, the owner of the remaining undivided one-half (1/2) interest, widow of W.A. Wade, deceased, to Ellis Blake and Ethel Blake, his wife, and recorded in Deed Book 307, at Page 222, of the deed records of said county and state.

Affiant further states that during the time of his/her ownership of the aforementioned rights in the above described lands, there ~~(has/has not)~~ been various oil and gas leases executed for the purpose of exploring for oil and gas. Affiant is also aware that there may have been other oil and gas leases executed by predecessors in title to the above described lands. Affiant further states that for a period of at least 56 years there has been no delay rental payments paid to Affiant, in money or otherwise, nor have such payments been deposited to Affiant's credit in any named bank. Affiant further states that ~~(he)~~(she) will not accept any delay rental or other payments after the date of execution of this Affidavit that would perpetuate any of said prior leases.

Furthermore, Affiant states that to the best of ~~(his/her)~~ knowledge there is no production of oil and/or gas from the above described lands and that ~~(he/she)~~ is not aware of any drilling, exploration, or development activities of any nature or kind conducted on said lands. Affiant also states that no production royalties and/or shut-in royalties have been paid effectively perpetuating any prior leases.

Further Affiant sayeth naught.

AFFIANT:

Mary Ellen Wallace Thomas
Mary Ellen Wallace Thomas

Subscribed and sworn to before me on this 1st day of APRIL, 2010

My Commission Expires: 10-19-2013

Michele Delavallade
Signature/Notary Public

Name/Notary Public (print): Michele Delavallade

Jan Pest
MARSHALL County 09:28:21 AM
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ACKNOWLEDGMENT

STATE OF ALASKA

COUNTY OF Juneau

On this the 1st day of APRIL, 2010, before me, the undersigned authority, personally appeared Mary Ellis Wallace Thomas, married, dealing in her sole and separate interest, who, being duly sworn according to law, deposes and says that he executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: 10-19-2013

Michele Delavallade
Signature/Notary Public

Name/Notary Public (print): Michele Delavallade

This instrument prepared by: Chesapeake Appalachia, L.L.C., 6100 N. Western Avenue, Oklahoma City, OK 73118

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 1st day of April, 2010, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 24th day of June, 2010 at 9:28 o'clock A.M.

TESTE: Jan Pest Clerk.